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**From:** Strauss, Alexis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=848EB244E96A4F04A105967EA264320B-ASTRAUSS]  
**Sent:** 2/28/2019 10:00:32 PM  
**To:** Munoz, Charles [munoz.charles@epa.gov]  
**Subject:** FW: Mining Permit, Arizona

Alexis Strauss  
E.P.A. Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
415-972-3572

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**From:** Grantham, Nancy  
**Sent:** Thursday, February 28, 2019 1:53 PM  
**To:** Strauss, Alexis <Strauss.Alexis@epa.gov>  
**Cc:** Stoker, Michael B. <stoker.michael@epa.gov>; Ross, David P <ross.davidp@epa.gov>; Quast, Sylvia <Quast.Sylvia@epa.gov>; Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; PerezSullivan, Margot <PerezSullivan.Margot@epa.gov>; Konkus, John <konkus.john@epa.gov>  
**Subject:** Re: Mining Permit, Arizona

Looping John Konkus

Sent from my iPhone

On Feb 28, 2019, at 4:51 PM, Strauss, Alexis <Strauss.Alexis@epa.gov> wrote:

# Deliberative Process / Ex. 5

Alexis

Alexis Strauss  
E.P.A. Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
415-972-3572

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**From:** PerezSullivan, Margot  
**Sent:** Thursday, February 28, 2019 1:45 PM  
**To:** Strauss, Alexis <Strauss.Alexis@epa.gov>; Glenn, William <Glenn.William@epa.gov>; Zito, Kelly <ZITO.KELLY@EPA.GOV>; Quast, Sylvia <Quast.Sylvia@epa.gov>; Ebbert, Laura <Ebbert.Laura@epa.gov>  
**Subject:** Fwd: Chair Grijalva, Rep. Kirkpatrick Signal Serious Concern That Army Corps of Engineers is About to Issue Widely Opposed Mining Permit in South Arizona

FYI.

Margot Perez-Sullivan  
U.S. Environmental Protection Agency  
D: [415.947.4149](tel:415.947.4149)  
C: [415.412.1115](tel:415.412.1115)  
E: [perezsullivan.margot@epa.gov](mailto:perezsullivan.margot@epa.gov)

Begin forwarded message:

**From:** "Davis, Tony" <[TDavis@tucson.com](mailto:TDavis@tucson.com)>  
**Date:** February 28, 2019 at 1:21:25 PM PST  
**To:** "[perezsullivan.margot@epa.gov](mailto:perezsullivan.margot@epa.gov)" <[perezsullivan.margot@epa.gov](mailto:perezsullivan.margot@epa.gov)>  
**Subject:** FW: Chair Grijalva, Rep. Kirkpatrick Signal Serious Concern That Army Corps of Engineers is About to Issue Widely Opposed Mining Permit in South Arizona

Margot,

Reps. Grijalva and Kirkpatrick issued this press release today saying that the Army Corps has apparently told them that their issuance of a Rosemont Mine 404 permit is imminent. This raises some questions I'd like to put to EPA:

1)According to EPA's dispute resolution process, as outlined in the link below, the Corps must notify EPA's Regional Administrator in the relevant region of its intent to issue a permit at least 5 days before it does issue the permit. Question: Has the Corps provided Region 9 that notice yet? If so, on what date did EPA get that notice?

2)If EPA has received such a notice, I request a copy. I'd like to get one without having to go through FOIA if possible because of the immediacy of this issue and because a notice of a pending decision can't be withheld as predecisional.

3)If EPA has received such a notice, the agency has 15 days to decide whether to elevate the issue to Headquarters for EPA HQ to seek a formal review of the permit decision by the Department of the Army. Has EPA decided whether to seek such a formal elevation of this case? If not, on what date is that decision legally due under your formal processes and regulations?

Below is the link outlining EPA's formal review process for Corps permits:

[https://www.epa.gov/sites/production/files/2016-03/documents/404q\\_factsheet.pdf](https://www.epa.gov/sites/production/files/2016-03/documents/404q_factsheet.pdf)

Thank you very much,

Tony Davis  
Environmental reporter  
Arizona Daily Star  
520-806-7746 o  
520-349-0350 c

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**From:** Sarvana, Adam <[Adam.Sarvana@mail.house.gov](mailto:Adam.Sarvana@mail.house.gov)>

**Sent:** Thursday, February 28, 2019 10:37 AM

**Subject:** Chair Grijalva, Rep. Kirkpatrick Signal Serious Concern That Army Corps of Engineers is About to Issue Widely Opposed Mining Permit in South Arizona

<image002.jpg>

**February 28, 2019**

Media Contact: Adam Sarvana  
(202) 225-6065 or (202) 578-6626 mobile

## Chair Grijalva, Rep. Kirkpatrick Signal Serious Concern That Army Corps of Engineers is About to Issue Widely Opposed Mining Permit in South Arizona

*Washington, D.C.* – Chair Raúl M. Grijalva (D-Ariz.) and Rep. Ann Kirkpatrick (D-Ariz.) today released the following statement on the pending Army Corps of Engineers permit for the Rosemont Mine, which is awaiting federal clearance to operate in Kirkpatrick’s district in Southern Arizona. Both lawmakers just concluded a briefing with the Army Corps, which is set to issue the last remaining permit for the mine.

“We requested today’s meeting to ask for additional information on why the Corps will issue this permit and assess whether Corps officials have fully considered the environmental damage this project will cause. We both believe critical questions remain unanswered, including whether there has been adequate review under the National Environmental Policy Act. After this morning’s conversation, we are concerned that this permit could be issued imminently without full consideration of the facts. We’re going to pursue every avenue to ensure Rosemont is handled transparently, and we will be conducting additional oversight of this project.”

Grijalva and Kirkpatrick called the meeting in part to discuss Rosemont project documents the Committee recently obtained.

Tailings from the Rosemont operation will be dumped on Coronado National Forest land and are expected to damage Cienega Creek, home to the federally endangered Chiricahua leopard frog, among other sensitive species.

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